

## Certification under 37 C.F.R. 1.10 (if applicable)

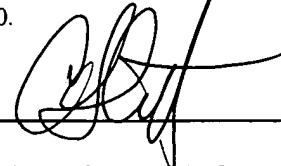
EV 757373105 US

"Express Mail" mailing number

27 April 2009

Date of Deposit

I hereby certify that this application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated and is addressed to the Commissioner of Patents and Trademarks, MS PCT, P.O. Box 1450, Alexandria, VA 22313-1450.

Curtis L. Schrandt**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (RO/EO)**

Applicant(s) : EVANS, Donald L. et al.  
Application No. : 10/588,417  
Application Filed : 04 August 2006  
Nat'l Stage of App. No. : PCT/US2005/05398  
Filed : 18 February 2005  
FOR : Novel Teleost Derived Antimicrobial Polypeptides  
Attorney Docket No. : G25-085US Nat

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MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE AND  
TRANSMITTAL OF AMENDED SEQUENCE LISTING**

S I R:

In response to an official Notification of Defective Response, mailed April 10, 2009 in the above-identified application (copy included), applicants enclose herewith a paper copy of a Sequence Listing under 37 C.F.R. § 1.821(c), and a copy of said Sequence Listing in computer readable form on diskette in accordance with the requirements of 37 C.F.R. §§ 1.821, 1.822 and/or 1.823. The applicants request that the application be amended to include entry of the enclosed sequence listing.

STATEMENT UNDER 37 C.F.R. § 1.821(f): The enclosed sequence listing information recorded on diskette in computer readable form is identical to the written sequence listing. No new matter has been added.

The new sequence listing has been amended to include the genus/species names for those animals previously indicated in the sequence listing on file in the application.

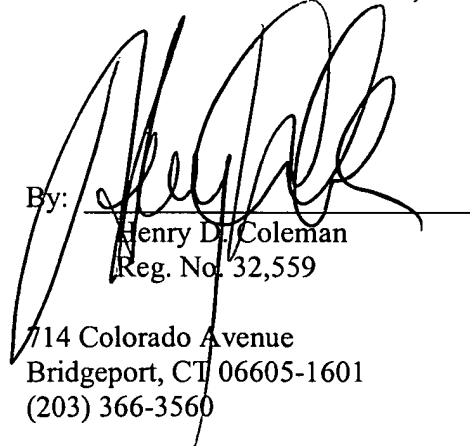
Please charge any fees due in connection with this communication to Deposit Account No. 04-0838. A copy of this transmission letter is enclosed herewith for deposit account charging purposes.

Respectfully submitted,

COLEMAN SUDOL SAPONE, P.C.

Dated: April 27, 2009

By:



Henry D. Coleman  
Reg. No. 32,559  
714 Colorado Avenue  
Bridgeport, CT 06605-1601  
(203) 366-3560

Certification under 37 C.F.R 1.10 (if applicable)

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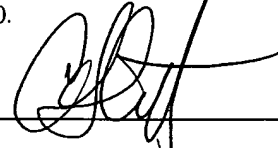
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# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/588,417	Donald L. Evans	G25-085US Nat
28156 COLEMAN SUDOL SAPONE, P.C. 714 COLORADO AVENUE BRIDGE PORT, CT 06605-1601		INTERNATIONAL APPLICATION NO. PCT/US2005/005398
		I.A. FILING DATE 02/18/2005
		PRIORITY DATE 02/18/2004

**CONFIRMATION NO. 8422**  
**371 FORMALITIES LETTER**



Date Mailed: 04/10/2009

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 08/04/2006
- Copy of the International Search Report filed on 08/04/2006
- Copy of IPE Report filed on 08/04/2006
- Preliminary Amendments filed on 08/04/2006
- Information Disclosure Statements filed on 08/04/2006
- Biochemical Sequence Diskette filed on 10/17/2008
- Oath or Declaration filed on 04/07/2008
- U.S. Basic National Fees filed on 08/04/2006
- Priority Documents filed on 08/04/2006

Applicant's response filed 10/17/2008 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 10/07/2008 have not been completed.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content

of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Refer to attachment or PAIR document dated 17 November 2008.

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

CHARITTA A SHELTON

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Telephone: (703) 308-9140 EXT 207